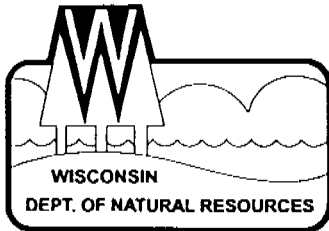


File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Appleton Field Station
Agricultural Services Center
3369 W. Brewster Street
Appleton, Wisconsin 54914-1602
Telephone 920-832-1803
FAX 920-832-1800

May 6, 1999

Mr. John Link
STS Consultants
1035 Kepler Drive
Green Bay, WI 54311-8320

Subject: Case Closure for Cenex Feed Plant, 1700 Bohm Drive, Little Chute, Wisconsin,
WDNR BRRTS ID# 03-45-000969

Dear John:

Following your request, please find attached a photocopy of the groundwater use restriction with proof of filing at the Outagamie County Register of Deeds for the site identified above. We received this from Land O'Lakes, Inc. directly. We have also received documentation of the abandonment of all site monitoring points. Based on the investigative and remedial documentation provided to the Department and the filing of the groundwater use restriction, it appears that the petroleum contamination at the above-named site has been remediated to the extent practicable under current site conditions. The case was closed on the Department's case tracking system on December 14, 1998. Therefore, closure of this site has been granted and no further action is necessary at this time. In the future, this deed restriction may be amended with approval from the Department if conditions change at the site and the residual contamination has been remediated. Please call me at (920) 832-1803 if you have any questions.

Sincerely,

Jennifer Huffman, P.G.
Hydrogeologist
Remediation and Redevelopment Program

attachment

Cc: Merlyn Kreuger – Cenex Land O' Lakes, 2827 8th Avenue South, Fort Dodge, Iowa,
50501 (w/o attachment)

16/90

Document Number

1294483

GROUNDWATER USE RESTRICTION

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

OCT 15 1998

AT 9 O'CLOCK A.M. P.M.
GRACE HERB
REGISTER OF DEEDS

In Re: A part of the Northwest Quarter of the Southwest Quarter, section 14, Township 21 North, Range 18 East, Village of Little Chute, Outagamie County, Wisconsin, being described as: commencing at the West quarter corner of Section 14, found 2" iron pipe; thence North 88°52'30" East, 925.68 feet (925.4 feet) along the North line of the Southwest Quarter of Rose Hill Road, 553.00 feet to a found 1" iron pipe and the point of beginning; thence South 88°28'00" West 300.00 feet to a 1" iron pipe found; thence North 1°32'00" West 446.79 feet to a ¾" bar set on the South right-of-way of a proposed railroad spur; thence southeasterly 541.68 feet, a central angle of 72°43'38" whose long chord bears south 37°53'49" East, 505.97 feet to a ¾" iron bar set thence South 1°32'00" East, 39.35 feet to the point of beginning.

Name and Return Address

Land O'Lakes, Inc.
P. O. Box 64101, MS 2500
St. Paul, MN 55164-0101

ENVELOPE

fed ex

pd 14.00

Declaration of Restrictions

STATE OF WISCONSIN)
) SS
COUNTY OF Outagamie)

Parcel Identification Number (PIN)

Land O'Lakes, Inc., as succesor-in-interest to
WHEREAS, Midland Cooperatives, Incorporated, a Minnesota Cooperative Association is the owner of the above described property.

WHEREAS, one or more Petroleum related discharges have occurred at this property. Benzene contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards exists on this property at the following location(s): 54ug/L Benzene at MW-1. (Attachment 1)

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140, Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. 809, Wis. Adm. Code is restricted by ch. NR 811, Wis. Adm. Code and ch. NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable and to obtain Department approval, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless

applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination can be recorded to give notice that this groundwater use restriction or portions of this groundwater use restriction are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 13th day of October, 1998.

By signing this document, Ronald O. Ostby acknowledges that [he/she] is duly authorized to sign this document on behalf of Midland Cooperatives, Incorporated, & Minnesota Cooperative Association.
Land O'Lakes, Inc., as successor-in-interest to

Signature: Ronald O. Ostby

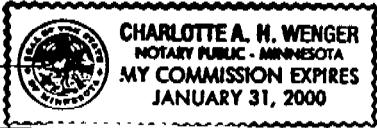
Printed Name: Ronald O. Ostby

Title: Chief Financial Officer

Subscribed and sworn to before me

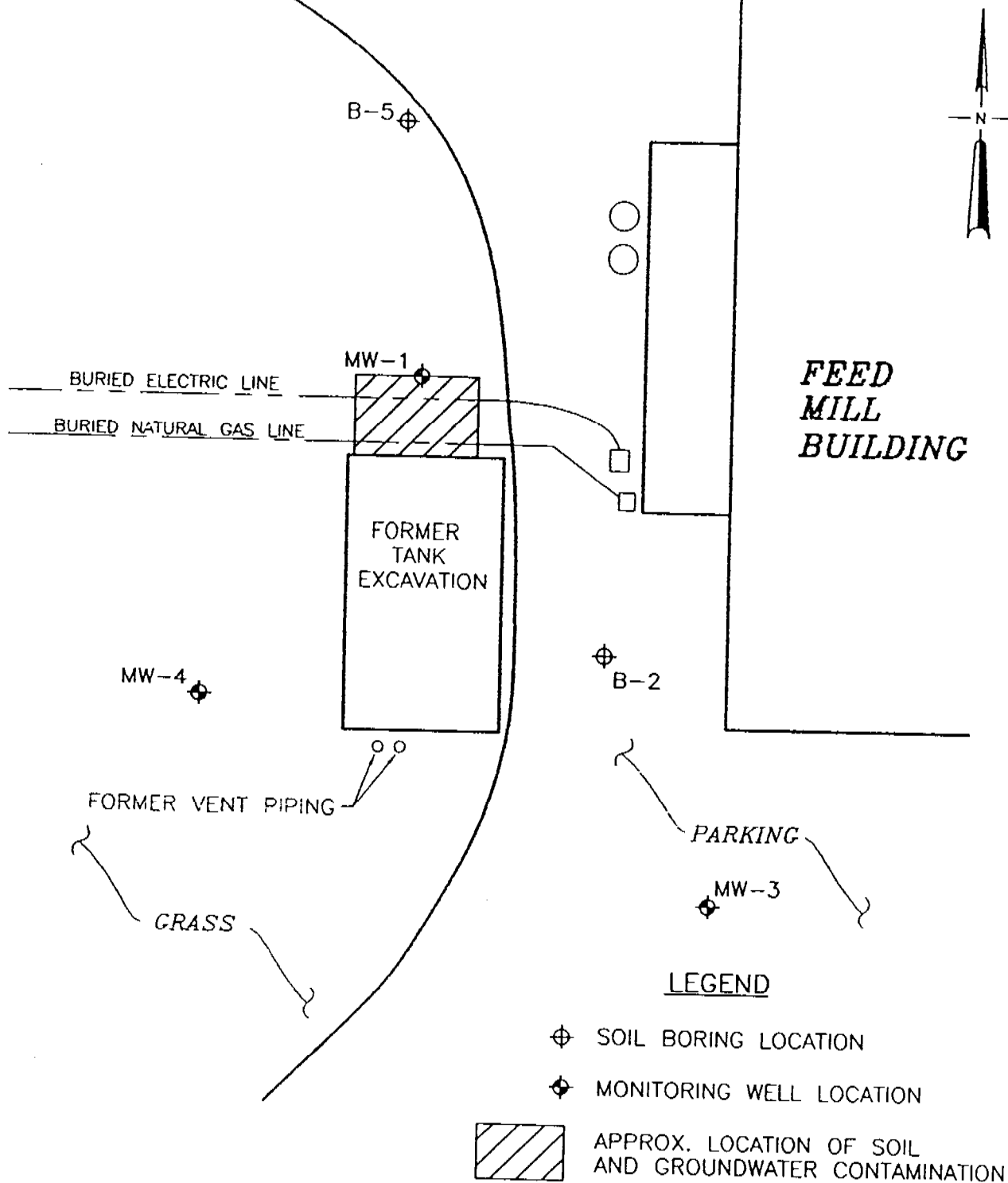
this 13th day of October, 1998.

Charlotte A. H. Wenger
Notary Public, State of Minnesota



My commission _____

This document was drafted by the Wisconsin Department of Natural Resources



STS Consultants Ltd.
Consulting Engineers

PROJECT/CLIENT

CENEX LAND O' LAKES
LITTLE CHUTE, WISCONSIN
REMAINING SOIL AND GROUNDWATER
CONTAMINATION

DRAWN BY R.A.B. 8-18-98

CHECKED BY J.E.L. 8-18-98

APPROVED BY

SCALE 1"=30' FIGURE NO. 1

STS DRAWING NO.
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738345

J 538 1 35

REGISTER'S OFFICE
OUTAGAMIE COUNTY, WI.
RECEIVED AND RECORDED ON

NOV 3 1977

This Deed, made, between, VILLAGE OF LITTLE
CHUTE, a Municipal Corporation, of Outagamie
County, State of Wisconsinand MIDLAND COOPERATIVES, INCORPORATED, a Grantor
Minnesota Cooperative AssociationWitnesseth, That the said Grantor for a valuable consideration, \$1.00
and other good and valuable consideration, Grantee,
conveys to Grantee the following described real estate in Outagamie County,
State of Wisconsin:

A part of the Northwest Quarter of the South-
west Quarter, Section 14, Township 21 North,
Range 18 East, Village of Little Chute, Outagamie Tax Key #.....
County, Wisconsin, being described as: Common- This is NOT homestead property.
cing at the West quarter corner of Section 14, found 2" iron pipe; thence
North 88°52'30" East, 925.68 feet (925.4 feet) along the North line of
the Southwest Quarter of Section 14; thence South 01°32'00" East parallel
to the center line of Rose Hill Road, 553.00 feet to a found 1" iron
pipe and the point of beginning; thence South 88°28'00" West 300.00 feet
to a 1" iron pipe found; thence North 1°32'00" West 446.79 feet to a
3/4" bar set on the South right-of-way of a proposed railroad spur;
thence Southeasterly 541.60 feet along the arc of a curve to the right
having a radius of 426.68 feet, a central angle of 72°43'38" whose long
chord bears South 37°53'49" East, 505.97 feet to a 3/4" iron bar set
thence South 1°32'00" East, 39.35 feet to the point of beginning.
Subject to all easements and restrictions of record.
SUBJECT TO THE FURTHER COVENANTS AND CONDITIONS AND RESTRICTIONS ON THE
REVERSE SIDE HEREOF.
Total parcel contains 2.33 acres.
SLE PLAT OF SURVEY ATTACHED, AS EXHIBIT "A"

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining:

And The Village of Little Chutewarrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except easements and
restrictions of record

and will warrant and defend the same.

Executed at Little Chute this.....

SIGNED AND SEALED IN PRESENCE OF

(CORPORATE SEAL)

16th of October 1977
VILLAGE OF LITTLE CHUTE
Edward H. Spierings (SEAL)
By: Edward H. Spierings, Village
President (SEAL)

ATTEST:

Lloyd VandenHeuvel (SEAL)
Lloyd VandenHeuvel, Village Clerk
(SEAL)

Signatures of Edward H. Spierings, Village President and Lloyd VandenHeuvel,
Village Clerk,

authenticated this 16 day of OctoberCharles J. Hartzheim

Title: Member State Bar of Wisconsin or Other Party
Authorized under Sec. 706.06 viz. Attorney

STATE OF WISCONSIN

ss.

Personally came before me, this..... day of..... 19.....
the above named.....
to me known to be the person..... who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT WAS DRAFTED BY
CHARLES J. HARTZHEIM
Attorney at Law

The use of witnesses is optional.

Notary Public, County, Wis.

My commission (expires) (is)

Names of persons signing in any capacity should be typed or printed below their signatures.

J 538 I 36

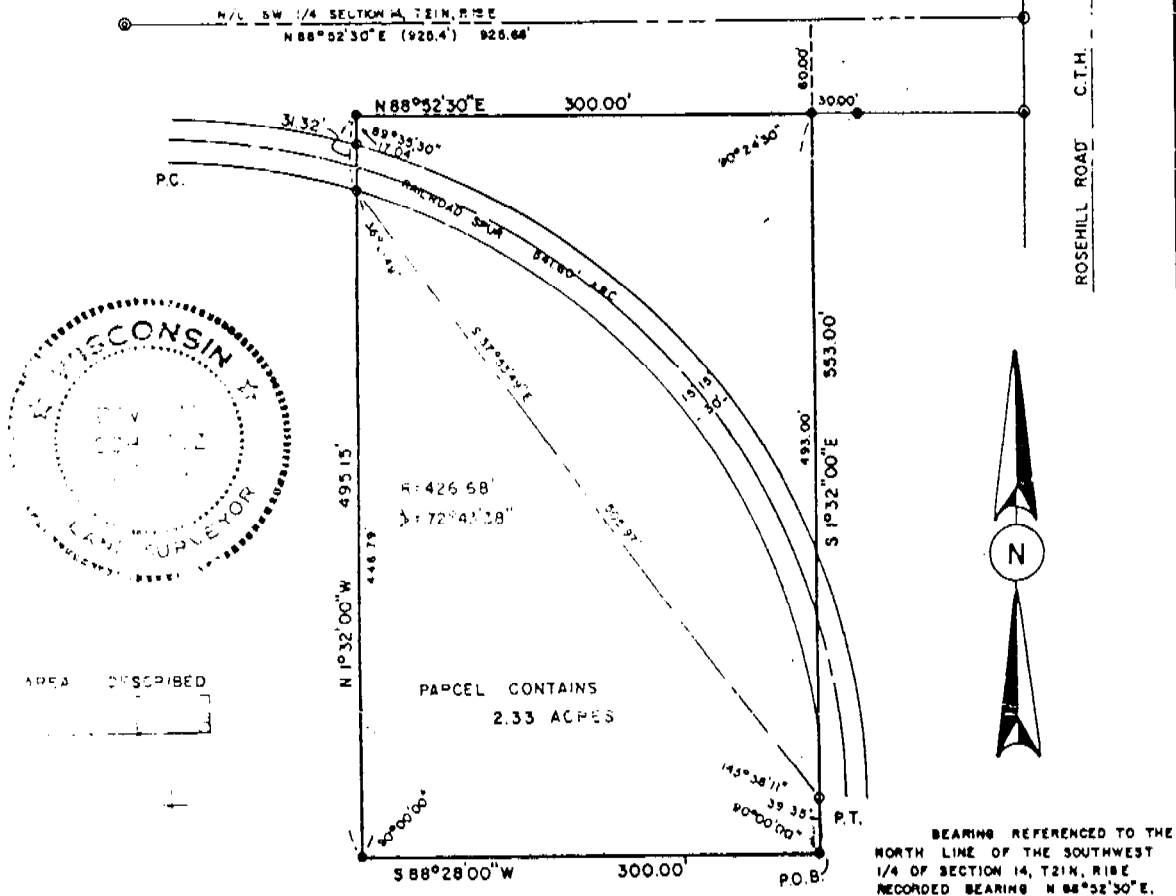
Grantor, by this deed, warrants and represents that the property is zoned I-1, Industrial District, pursuant to Chapter 19, Municipal Code of the Village of Little Chute. The grantee, in accepting this deed, understands, agrees and covenants that it will utilize the property as a wholesale business for the blending of fertilizer, and that the grantee shall not utilize the property for fertilizer manufacture. Further, the property shall not be utilized, by the grantee, for manufacture or storage of anhydrous ammonia, nor for any I-2 Industrial District uses except as the property may be hereinafter rezoned for I-2 Industrial uses under the Municipal Code, Village of Little Chute. The Village of Little Chute agrees to rezone a portion of the described property to enable grantee to utilize the premises for distribution and storage of LP Gas.

Plat of Survey

FOR: VILLAGE OF LITTLE CHUTE:

PART OF - NW 1/4 OF SW 1/4 ALL BEING IN SECTION 14,
TOWN 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE
CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

WEST QUARTER CORNER OF
SECTION 14, T21N, R18E



TOTAL CURVE

Radius = 426.68' to south right of way
Tangent = 438.5434'
Long Cord = 601.23'
Long Cord Bearing = south right of way S46°19'45\"W
Interior Angle = 89°35'30"

SCALE: 1"=100'

LEGEND

- = Existing iron found 1" I. P.
- = 1" x 24" iron pipes set
- = 3/4" x 24" round steel bar set (length 1.5 lbs. per lin. ft.)
- () = recorded - as
- = P.K. nail or R.R. spike
- = 2" iron pipe round
- △ = R/W marker
- - - = fence
- = 3/4" round steel bar
- = stone monument
- = monument

SURVEYORS CERTIFICATE:

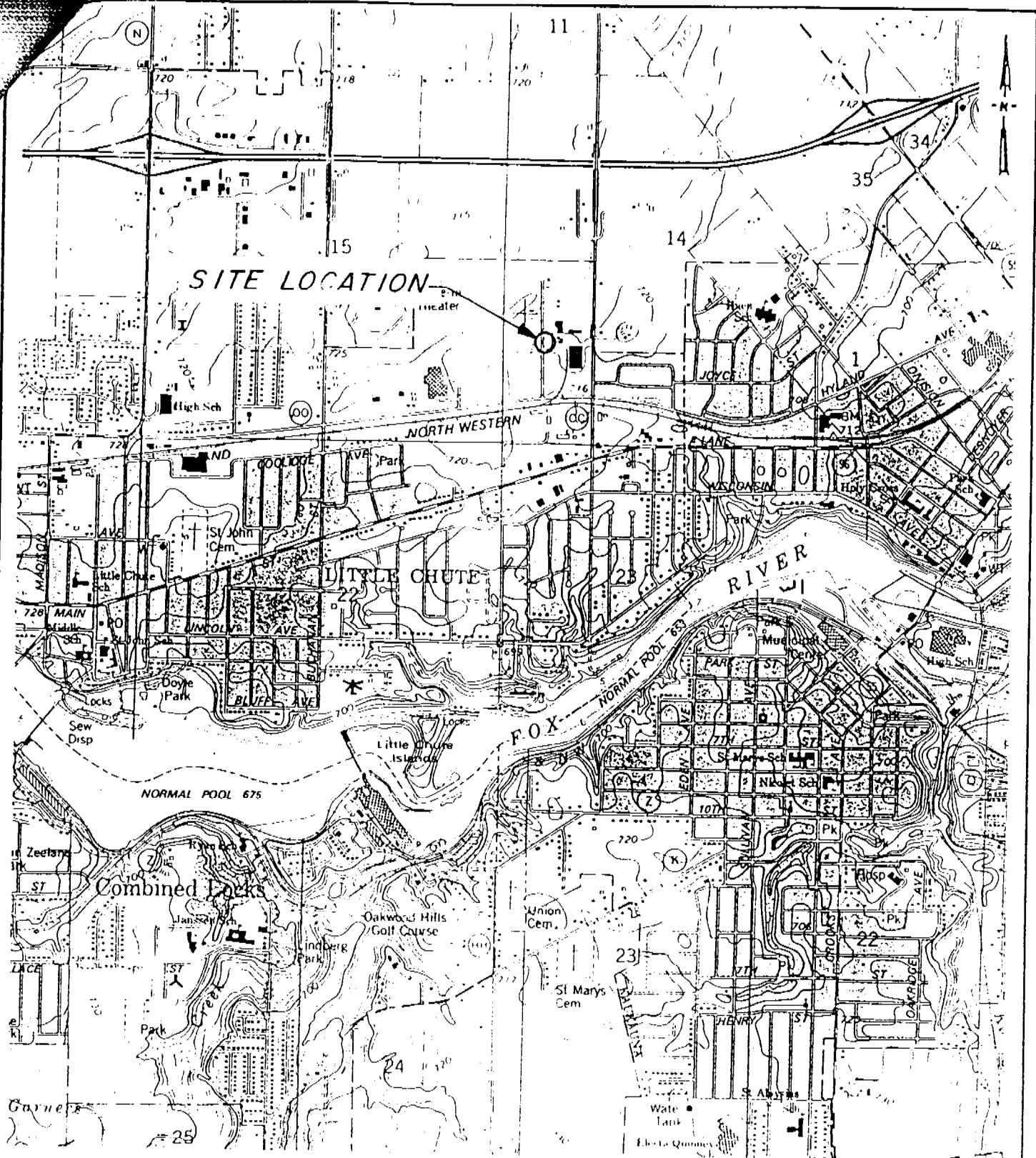
I, hereby certify that I have surveyed the property as shown, according to official records and that the plat above drawn is an accurate and correct representation of said survey. Sept 29, 1977.

David M. Schmalz
Registered Land Surveyor



McMAHON ASSOCIATES INC.
MUNICIPAL ENGINEERS — LAND SURVEYORS
MENASHA and WAUTOMA, WISCONSIN

DRAWN BILL KLINGBIL
PROJECT NO. S 77168
FIELD BOOK 51 PAGE 20



MAP SOURCE: MODIFIED FROM KAUKAUNA U.S.G.S.
QUADRANGLE DATED 1984.



STS Consultants Ltd.
Consulting Engineers

PROJECT/CLIENT

CENEX LAND O'LAKES FEED PLANT
1700 BOHM DRIVE
LITTLE CHUTE, WISCONSIN

SITE LOCATION DIAGRAM

DRAWN BY P.D.P. II-30-93

CHECKED BY

APPROVED BY

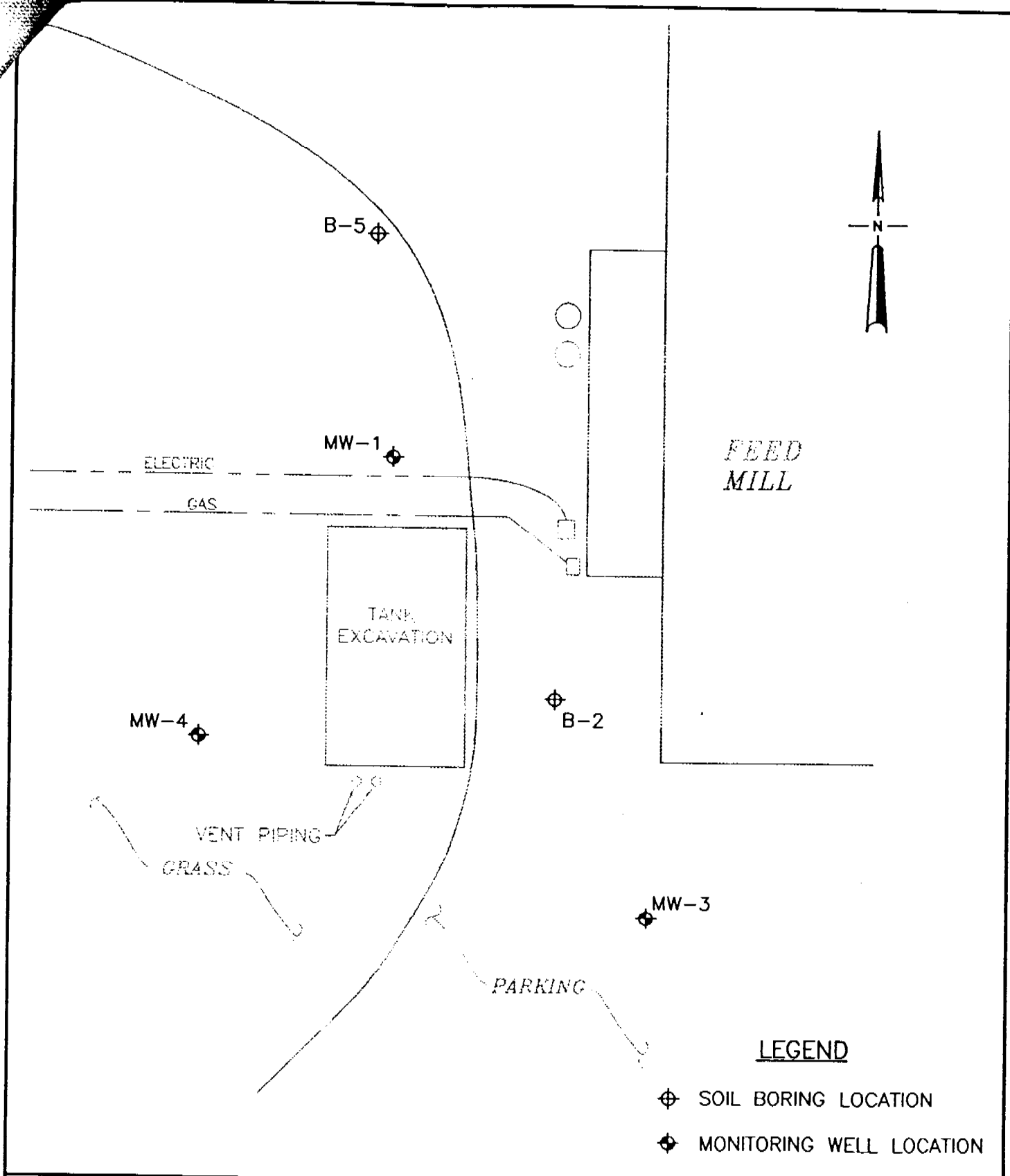
SCALE
1" = 2000'

FIGURE NO

1

STS DRAWING NO

20036W



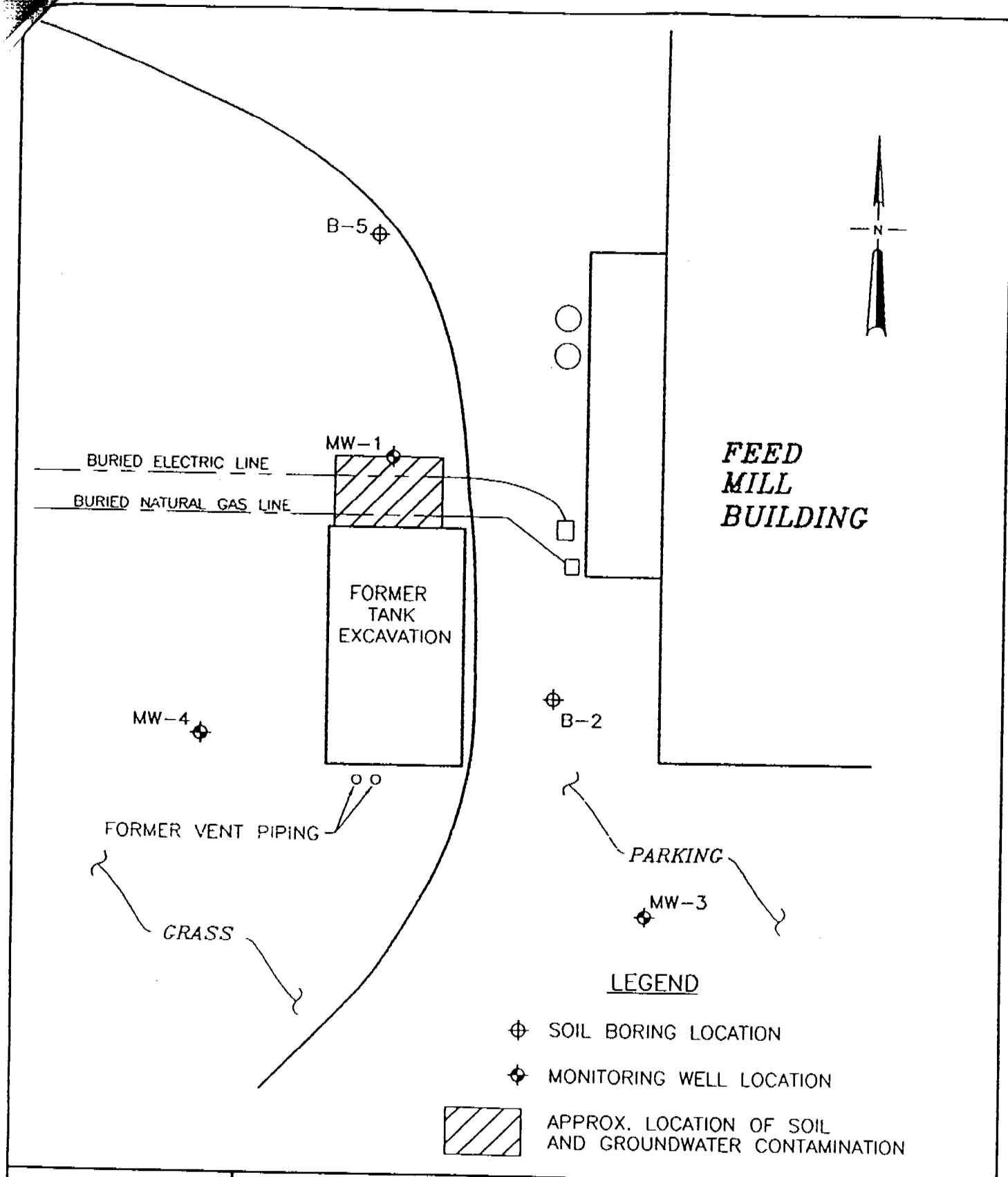
STS Consultants Ltd.
Consulting Engineers

PROJECT/CLIENT

CENEX LAND O' LAKES
LITTLE CHUTE, WISCONSIN

SOIL BORING AND MONITORING
WELL LOCATION DIAGRAM

DRAWN BY	J.R.L.	6-20-95
CHECKED BY	J.E.L.	6-20-95
APPROVED BY		
SCALE 1"=30'	FIGURE NO. 3	
STS DRAWING NO. 20036W		



STS Consultants Ltd.
Consulting Engineers

PROJECT/CLIENT

CENEX LAND O' LAKES
LITTLE CHUTE, WISCONSIN
REMAINING SOIL AND GROUNDWATER
CONTAMINATION

DRAWN BY R.A.B. 8-18-98

CHECKED BY J.E.L. 8-18-98

APPROVED BY

SCALE 1"=30' FIGURE NO. 1

STS DRAWING NO.
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Table 2
PVOC and PAH Laboratory Results
Cenex Land O'Lakes Feed Plant
Little Chute, Wisconsin

		MTBE	Benzene	Toluene	Ethylbenzene	Xylenes	1,3,5-TMB*	1,2,4-TMB*
Date	Well	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)
9/13/94	MW-1	<5.0	48	1	24	19	8.7	13
3/30/95	MW-1	<2.0	45	<2.0	41.3	29	1.87	16.1
5/20/97	MW-1	1.3	54	<1.5	47	14	1.2	20
9/13/94	MW-3	<5.0	<1.0	3	<1.0	<3.0	<1.0	<1.0
3/30/95	MW-3	<2.0	<0.5	<2.0	<1.0	<2.0	<1.0	<1.0
5/20/97	MW-3	<0.21	<0.21	<1.5	<0.68	2.5	<0.86	<1.0
9/13/94	MW-4	<5.0	<1.0	<1.0	<1.0	<3.0	<1.0	<1.0
3/30/95	MW-4	<2.0	<0.5	<2.0	<1.0	<2.0	<1.0	<1.0
5/20/97	MW-4	<0.21	<0.21	<1.5	<0.68	<1.8	<0.86	<1.0
Preventive								
Action Limit (PAL)		12	0.5	68.6	140	124	---	---
Enforcement								
Standard (ES)		60	5	343	700	620	---	---

* - TMB = Trimethylbenzene
($\mu\text{g/L}$) = micrograms per liter

	PAH	Acce-naphthylene	Acc-naphthene	Fluorene	Phenan-threne	Anthracene	Chrysene	Fluor-anthene	Pyrene
Well #	Date	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)
MW-1	9/13/94	<2.0	1.56	1.69	<0.10	<0.10	<0.10	<0.02	<0.10
	3/30/95	<0.14	<0.11	<0.08	<0.09	<0.11	<0.06	<0.15	<0.09
	5/20/97	2.6	<0.11	2.4	11	0.07	1.2	<1.3	0.19
MW-3	9/13/94	<2.0	<1.0	<0.20	<0.10	<0.10	<0.10	<0.02	<0.10
	3/30/95	<0.14	<0.11	<0.08	<0.09	<0.11	<0.06	<0.15	<0.09
	5/20/97	<0.25	<0.11	<0.6	<0.17	<0.04	<0.7	<1.3	<0.18
MW-4	9/13/94	<2.0	<1.0	<0.20	<0.10	<0.10	<0.10	<0.02	<0.10
	3/30/95	<0.28	<0.22	<0.16	<0.18	<0.22	<0.12	<0.3	<0.3
	5/20/97	<0.25	<0.11	<0.6	<0.17	<0.04	<0.7	<1.3	<0.18

	PAH	Benzo(a)anthracene	Benzo(b)fluoranthene	Benzo(k)fluoranthene	Benzo(a)pyrene	Dibenzo(a,h)anthracene	Benzo(g,h,i)perylene	Naphthalene	Indeno(1,23-cd)pyrene
Well #	Date	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)	($\mu\text{g/L}$)
MW-1	9/13/94	<0.01	<0.02	<0.01	<0.01	<0.02	<0.02	1.14	<0.05
	3/30/95	<0.05	<0.08	<0.08	<0.10	<0.20	<0.16	<0.09	<0.17
	5/20/97	<0.27	<0.05	<0.008	<0.07	<0.4	<0.4	11	<0.9
MW-3	9/13/94	<0.01	<0.02	<0.01	<0.01	<0.02	<0.02	<0.02	<0.05
	3/30/95	<0.05	<0.08	<0.08	<0.10	<0.20	<0.16	<0.16	<0.17
	5/20/97	<0.27	<0.05	<0.008	<0.07	<0.4	<0.4	<0.4	<0.9
MW-4	9/13/94	<0.01	<0.02	<0.01	<0.01	<0.02	<0.02	<0.02	<0.05
	3/30/95	<0.10	<0.16	<0.16	<0.2	<0.4	<0.32	<0.32	<0.34
	5/20/97	<0.27	<0.05	<0.008	<0.07	<0.4	<0.4	<0.4	<0.9

Preventive	---	---	---	0.02	---	---	8	---
Action Limit (PAL)								
Enforcement	---	---	---	0.2	---	---	40	---
Standard (ES)								

Notes:
($\mu\text{g/L}$) = micrograms per liter
11 : PAL Exceedance
54 : ES Exceedance